

Design Objection:

How to Respond and Protect Your Design Rights

What is a Design Objection?

A design objection is a formal examination report issued by the design registry when an application fails to meet legal requirements. The applicant must respond with a well-drafted reply to clarify or defend the design's originality.

Common Reasons for Design Objections

- ⦿ Lack of Novelty –
- ⦿ Functional Design –
- ⦿ Incorrect Classification –
- ⦿ Incomplete or Incorrect Documents –
- ⦿ Similarity to Prior Designs –

How to Handle a Design Objection?

- Step 1: Analyze the Objection Report
- Step 2: Gather Supporting Documents
- Step 3: Draft a Strong Response
- Step 4: Submit the Response Within Deadline
- Step 5: Follow Up

After submission, monitor the status of your application and respond to any additional queries from the authorities.

What Happens After Submitting the Response?

- ❖ Approval: If the authorities accept your response, the design proceeds to registration.
- ❖ Further Examination: If more clarification is needed, additional documents may be requested.
- ❖ Rejection: If the response is not satisfactory, the application may be rejected (appeals can be filed).

Tips to Avoid Design Objections

- Conduct a prior design search before filing.
- Ensure your design is unique and aesthetic (not purely functional).
- Provide complete and accurate documentation.
- File under the correct product classification.

Conclusion

Facing a design objection is a common challenge, but a well-prepared response can save your application. By addressing objections properly and providing strong justifications, you can successfully secure your design rights.

Need help responding to a Design Objection?

Our experts can help you draft a strong and effective response to overcome objections smoothly. Contact us today! 